

# PRESIDIO TRUST LAND USE CONTROLS MASTER REFERENCE REPORT

PRESIDIO OF SAN FRANCISCO, CALIFORNIA

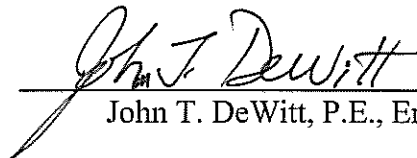
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Presidio of San Francisco, California

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Building 9 Area

Building 10 Area

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## 1. INTRODUCTION

The Presidio Trust (“Trust”) has prepared this Land Use Controls Master Reference Report (“LUCMRR”) to serve as the implementation and enforcement plan to meet regulatory requirements and to describe the land use controls (“LUCs”) the Trust will use at the Presidio of San Francisco (“Presidio”) (see Figure 1).

The Presidio is located at the northern tip of the San Francisco peninsula. The Presidio occupies approximately 1,491 acres and is bounded by the San Francisco Bay on the north, the Pacific Ocean on the west, and residential neighborhoods of the City of San Francisco on the south and east. The United States Department of the Defense, Department of the Army (“Army”) operated the Presidio as a military post from 1848 to 1994. It served as a coastal defense fortification, a mobilization and embarkation point during several foreign defense conflicts, and a medical debarkation center. On 1 October 1994, the Army completed its transfer of the Presidio to the United States Department of the Interior, National Park Service (“NPS”).

In 1996, Congress enacted the Presidio Trust Act (Section 103 of the Omnibus Parks and Public Lands Management Act of 1996, Public Law 104-333, 110 Stat. 4097, codified as amended at 16 USC §§460 bb appendix) creating the Trust and giving the Trust jurisdiction over the 1,168-acre inland area of the Presidio known as Area B. The NPS continues to manage the shoreline area, or Area A (see Figure 1). The Trust is a wholly-owned federal government corporation whose mission is to preserve the Presidio in perpetuity for the public benefit. This LUCMRR is only applicable to Area B of the Presidio because the Trust does not have legal jurisdiction over, and cannot enforce and monitor LUCs within, Area A.

### 1.1 Environmental Requirements

Subsequent to the transfer of the Presidio to NPS and later Area B to the Trust, it was apparent that park preservation and reuse could be realized more quickly and efficiently and cleanup would be more effective if the Trust controlled and managed the environmental restoration of the Presidio. With certain exceptions, the Trust assumed responsibility for remediation of both Areas A and B of the Presidio by signing the *Memorandum of Agreement Regarding Environmental Remediation at the Presidio of San Francisco* among the Trust, Army, and NPS (“Presidio MOA”) (Army, Trust, NPS; 1999), and the *Memorandum of Agreement for Environmental Remediation of Presidio of San Francisco “Area A” Property* between the Trust and NPS (“Area A MOA”) (NPS,

Trust; 1999). As part of its environmental remediation responsibility, the Trust has retained environmental consultants to assist with the remedial actions and associated documentation. The Trust has retained Erler & Kalinowski, Inc. ("EKI") to prepare this LUCMRR for the Presidio.

The Trust also entered into a Consent Agreement with the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC") and NPS (DTSC, 1999). The Consent Agreement establishes responsibilities and procedures for cleanup of releases of hazardous substances and hazardous waste at the Presidio consistent with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") and Resource Conservation and Recovery Act ("RCRA"). Section 5.11 of the Consent Agreement requires that if LUCs are part of a remedy, the Trust will coordinate implementation of the LUC with the DTSC. DTSC is providing regulatory oversight for the Trust's remediation of Presidio hazardous substance release sites. In accordance with the California Code of Regulations ("CCR") Section 67391.1, DTSC requires LUCs to be implemented when hazardous materials remain at a site at concentrations that are not suitable for unrestricted land use. In addition, CCR §67391.1 requires an implementation and enforcement plan for the LUCs.

This LUCMRR serves as the implementation and enforcement plan to meet the requirements of CCR §67391.1(b) and §5.11 of the Consent Agreement (DTSC, 1999), and describes the procedures the Trust will use to implement LUCs at the Presidio in accordance with state regulations and DTSC requirements for sites subject to CERCLA cleanup authorities.

In addition to the Trust's CERCLA cleanup program, the California Environmental Protection Agency, Regional Water Quality Control Board, San Francisco Bay Region ("RWQCB") has issued the Presidio-wide Site Cleanup Requirements as adopted in RWQCB Order No. R2-2003-0080 ("Order") (RWQCB, 2003) that governs the Trust's environmental abatement of petroleum-based contaminants at the Presidio. The Order also defines cleanup standards for freshwater and saltwater ecological protection zones. The Order, under which the RWQCB regulates the Trust's petroleum program sites does not speak to the use of LUCs. In a 16 June 2003 letter to the RWQCB commenting on the draft tentative Order, the Trust requested that LUCs be explicitly stated as possible under the Order. The RWQCB staff noted the comment and stated, "No change in the text is necessary. LUCs may be evaluated on a case-by-case basis and may be included as a component of a final remedy identified in site-specific corrective action plans." (Appendices of RWQCB, 2003) Therefore, in a manner consistent with the CERCLA program, the Trust will apply the procedures of this LUCMRR to petroleum program

sites where petroleum is not removed to unrestricted levels as determined by the RWQCB Order.

In sum, therefore, the categories of sites that may be addressed by this LUCMRR include Presidio of San Francisco CERCLA sites and sites with lead-based paint in soil that are being remediated under the oversight of the DTSC, petroleum program sites that are being remediated under the oversight of the RWQCB, and any other sites where the Trust voluntarily implements a LUC.

The Trust is electing to institute a comprehensive and uniform procedure to track, implement, and enforce environmental land use restrictions for all cleanup sites within Area B of the Presidio, regardless of whether or not LUCs are legally required, so as to simplify the Presidio's future land management. For any future project or action affecting land use or management, the LUCMRR and its associated site-specific addenda will be consulted to determine whether any particular parcel of land is environmentally restricted in its use and the nature and extent of the restriction.

As typically used, the term "land use control" is a catchall phrase for deed restrictions, institutional controls, and other non-engineering legal controls such as easements, restrictive covenants, and zoning ordinances. Irrespective of the legal form of the restriction, LUCs are non-engineering measures designed to limit exposure to hazardous substances left in-place or to ensure the effectiveness of the chosen remedy. Technically, DTSC requires a LUC that "runs with the land" and encumbers all subsequent title holders at sites where hazardous materials remain above residential (unrestricted) cleanup levels. Because the Presidio is federal land, land use covenants that encumber future title cannot be adopted at the Presidio (GSA, 1998). The types of LUCs that can be implemented at the Presidio are discussed in Section 2.2.

## **1.2 Key Documents**

In 1990, in anticipation of the transfer by the Army, NPS began planning the conversion of the Presidio from a military post to a national park site. The planning effort culminated in the preparation of the *General Management Plan Amendment* ("GMPA") by the NPS (1994). The GMPA provides guidelines for the management and improvement of the Presidio, and is the governing plan for Area A. The Trust prepared the *Presidio Trust Management Plan* ("PTMP") (Trust, 2002) setting forth the Trust's land use policies and general management framework for Area B of the Presidio. The Trust manages Area B of the Presidio in accordance with the PTMP, the general objectives of the GMPA, which are set forth in Trust Board Resolution 99-11, and in

such a way as to protect the Presidio from development and uses that would destroy the scenic beauty, historic and natural characteristics of the area, and cultural and recreational resources. Together, the Trust and NPS developed the *Vegetation Management Plan and Environmental Assessment for the Presidio of San Francisco* (“VMP”) (NPS and Trust, 2001) to guide the management of the vegetation resources at the Presidio. The PTMP together with the VMP, which it incorporates, effectively serves as a zoning document or Master Plan for Area B of the Presidio.

Other key documents that are used to guide LUCs at a Presidio site include the DTSC Consent Agreement and the RWQCB Order (described in Section 1.1). The Trust’s *Draft Presidio-Wide Lead-Based Paint in Soil Plan* (Treadwell & Rollo, 2004) and subsequent revisions of this plan control the cleanup of sites with lead-based paint in soil at the Presidio. CERCLA Remedial Action Plans and Petroleum Corrective Action Plans may specify site-specific decisions to apply LUCs at certain remediation sites and identify the need for a site-specific addendum (described in Section 3.1.1 and outlined in Section 4). The *Presidio-wide Cleanup Level Document* (EKI, 2002) (“Cleanup Level Document”) is the final key document that is used to guide LUCs at the Presidio. The Cleanup Level Document utilizes chemical-specific regulatory requirements, risk-based goals, and site-specific lithology to develop Presidio-specific cleanup levels for remedial actions. Factors that were used to develop cleanup levels are background metal concentrations, human health exposure, and ecological exposure. Thus, for any given site, the applicable cleanup level incorporates the planned land use (residential, recreational, institutional, or commercial/industrial) and potential ecological species present (including the presence of special-status species) as informed by the GMPA, PTMP, VMP, and the Cleanup Level Document. Special ecological protection zones and cleanup levels for petroleum hydrocarbons and related constituents are established in the RWQCB Order. The Order allows varying cleanup levels depending on the existing and expected future land use, depth to groundwater, the Presidio drainage basin, and whether or not an area is within an ecological protection zone.

### **1.3 Areas Subject to Land Use Controls**

The DTSC requires sites that do not fully meet the most stringent Presidio-specific human health cleanup levels (i.e., residential cleanup levels) to have LUCs to inform and protect future users (CCR §67391.1 and DTSC, 2000). Examples of such sites include landfills that are covered and leave representative concentrations of chemicals of concern (“COCs”) in place above residential cleanup levels, as well as sites within areas designated for recreational use that are remediated to recreational cleanup levels, but do not meet more stringent residential cleanup levels. LUCs may also voluntarily be used to

restrict sensitive ecological uses for sites within the freshwater or saltwater protection zones that do not meet specific ecological cleanup requirements listed in the Order (i.e., the freshwater or saltwater cleanup levels) or ecological special-status zones specified in the Cleanup Level Document. However, ecological LUCs are not required at sites within areas designated in the Cleanup Level Document as buffer zone ecological or non-ecological that are not remediated to ecological special-status cleanup levels. In other words, the entire Presidio does not require remediation to ecological special-status cleanup levels.

#### **1.4 Adoption of Site-Specific Land Use Controls**

This LUCMRR provides an overarching view of LUCs at the Presidio. General principles and generic conditions are addressed. For each individual site where LUCs are required or voluntarily adopted, the Trust will prepare a site-specific addendum to the LUCMRR that includes the details of the applicable LUC. Each addendum will be prepared as a short document that will reference general principals from this LUCMRR and identify which LUCs apply at the site. The addenda will be compiled into a three-ring binder for reference, together with a copy of this LUCMRR. Thus, the LUCMRR, with its addenda, is a “living” document, with new addenda being added as sites with LUCs are identified, and other addenda being removed if the sites are ultimately remediated or otherwise meet unrestricted use requirements.

Copies of the LUCMRR and all current addenda will be kept at the Trust Library and the Trust Environmental Remediation Department (or its successor department with its Environmental Officer), which will maintain and communicate the intent of the LUCMRR and addenda within the Trust. The key components and outline of the site-specific addenda are described in Section 4. The substantive content of the site-specific addenda will also be available for electronic retrieval through the Trust’s geographical information system (“GIS”).

#### **1.5 Trust’s GIS System Integrating Land Use Controls**

The Trust is developing a GIS that will facilitate the tracking, management, and implementation of LUCs at the Presidio. The GIS system will allow Trust users to select an area or building of interest and query for the presence of a LUC. If a LUC is present within the selected area, a flag identifies the site name and type of the LUC, and a link displays a copy of the site-specific addendum or report that describes the LUC(s) that are present at the site. This tool allows Trust users to check for the presence of a LUC in the planning stages of site development or leasing, or prior to initiating work or a change in



use or tenancy in an area. The GIS system for LUCs is described in more detail in Section 3.1.3.

## **1.6 Key Users of the LUCMRR**

The Trust anticipates that many parties will use, review, and reference this LUCMRR and the site-specific addenda. The Trust's Real Estate, Planning, and Legal departments will likely refer to the LUCMRR to evaluate the feasibility and restrictions for the development, leasing, and reuse of specific areas and buildings at the Presidio and to disclose use restrictions to potential tenants and users. The Trust's Operations, Utilities, and Environmental Remediation departments will likely use the LUCMRR to identify potential restrictions in an area requiring maintenance, repair, or subgrade activities (such as installation of a new utility or removal and installation of vegetation). The Environmental Remediation Department will keep the LUCMRR current, and may evaluate the cost/benefit of future remedial actions based on the LUCs involved. All these parties may use the LUCMRR as an informational tool in the Trust's project review program, which assesses, analyzes, and certifies the environmental effects of proposed actions for compliance with the National Environmental Policy Act ("NEPA") and the National Historic Preservation Act ("NHPA"). This Trust process is called "N<sup>2</sup>". Tenants and prospective tenants may also review the LUCMRR and site-specific addenda as part of due diligence prior to signing a lease or other use agreement.

Trust employees who use the LUCMRR will also likely use the Trust's GIS system as described in Section 3.1.3.

## **2. OVERVIEW OF LAND USE CONTROLS**

This section provides an overview of the LUCs at the Presidio.

### **2.1 Definition and Categories of Land Use Controls**

The United States Environmental Protection Agency (“U.S. EPA”) identifies four key constituents of institutional controls (“ICs”), called LUCs at the Presidio, as follows (U.S. EPA, 2000):

- non-engineering instruments such as administrative and/or legal controls that minimize the potential for human exposure to contamination by limiting land or resource use;
- generally to be used in conjunction with, rather than in lieu of, engineering measures such as waste treatment or containment;
- can be used at all stages of the cleanup process to accomplish various cleanup-related objectives; and
- should be ‘layered’ (i.e., use multiple institutional controls) in a series to provide overlapping assurances of protection from contamination.

DTSC has also issued a fact sheet regarding Land Use Covenant Agreements (DTSC, 2000). DTSC’s fact sheet states that institutional controls are used to limit or reduce the release or threat of release of hazardous substances, limit exposure of humans and environmental receptors, supplement engineering remedies, and ensure that engineering controls maintain their integrity and effectiveness (DTSC, 2000).

General examples of LUCs include easements, covenants, well drilling prohibitions, digging notifications, zoning or site restoration restrictions, and special building permits. Example LUCs at the Presidio include the Presidio MOA (Army, Trust, NPS; 1999), the Area A MOA (NPS, Trust; 1999), the PTMP (Trust, 2002), leasing agreements between tenants and the Trust, and the N<sup>2</sup> process. Some of these controls limit or prohibit certain kinds of site uses, notify potential owners or tenants of the presence of hazardous substances remaining on-site at concentrations that are not protective of all uses, or establish procedures for subsurface soil disturbance.

The U.S. EPA identifies four categories of ICs or LUCs: (1) governmental controls, (2) proprietary controls, (3) enforcement and permit tools with IC or LUC components, and (4) informational devices (U.S. EPA, 2000). Governmental controls are generally implemented by the state or local government, which has authority to promulgate its own laws, and may include zoning restrictions, ordinances, statutes, building permits, or other

provisions that restrict or limit site use. Proprietary controls, such as easements and covenants, have their basis in real property law and generally create legal property interests. Enforcement and permit tools with LUC components include unilateral administrative orders (“UAO”) or administrative orders on consent (“AOC”), but these CERCLA tools are generally only available to regulatory agencies with independent enforcement authority and are binding only on the signatories of the agreement or order. The Consent Agreement (DTSC, 1999) and the Order (RWQCB, 2003) are examples of enforcement or permit tools in place at the Presidio. Finally, informational devices, which could include state registries of contaminated property, deed notices, and advisories, are general notification devices that may provide information about COCs on a site, but may not be enforceable. The Trust will use the land use notification (“LUN”) as a general notification device to provide information about COCs or other environmental concerns that may remain in place at a site. Signs restricting access posted on fences, locked gates, or barricades are also an example of informational devices used at the Presidio.

## **2.2 Application of LUCs at the Presidio**

In 1996, Congress adopted the Presidio Trust Act, establishing the Trust as a wholly-owned federal government corporation. The Trust “may not dispose of or convey fee title to any real property transferred to it under” the Trust Act.<sup>1</sup> Additionally, the General Services Administration does not believe landholding federal agencies have the authority to place use restrictions or other covenants on property in their inventory (GSA, 1998). As such, typical land use restrictions are not applicable to Trust property. DTSC acknowledges that some land use covenants may not be applicable to federal facilities. Consequently, CCR Section 67391.1(f) has a provision for LUCs at federal facilities, which allows for other instruments such as Memorandums of Agreement, Consent Decrees, and physical monuments to be used to implement LUCs on federally owned property. Section 5.11 of the Consent Agreement (DTSC, 1999) specifically mentions the use of institutional controls in remedies at the Presidio.

The Trust’s PTMP (Trust, 2002), the NPS’ GMPA (NPS, 1994), and the VMP (NPS and Trust, 2001) effectively act as zoning guidelines for land use at the Presidio. These plans, in conjunction with the RWQCB Order,<sup>2</sup> are effectively the governmental controls for LUCs at the Presidio. In addition to these governmental controls, informational devices at the Presidio include this LUCMRR, the Trust’s GIS system, and notices and

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<sup>1</sup> The Presidio Trust Act § 104(b), 16 U.S.C. § 460bb app. § 104(b) (2005).

<sup>2</sup> The RWQCB Order is considered a governmental control because it defines the saltwater and freshwater ecological protection zones.

communication through the Trust's leasing program (such as due diligence disclosures or the notice restricting gardening to raised beds and other environmental directives).

LUCs will be recommended by the Trust at specific remediation sites that do not meet residential (i.e., the most restrictive human health) cleanup levels. The Trust will implement appropriate LUCs for these areas to restrict land use if the level of cleanup to meet residential (unrestricted) land use is limited due to:

- Limited access to impacted material by historic buildings or other features,
- Incomplete removal of impacted material to residential cleanup levels (i.e., landfills and other sites with containment remedial actions that will leave residual hazardous substances and/or petroleum hydrocarbons in place),
- Cost effectiveness, or
- Other reasons that remedial actions are not or cannot be completed to meet residential cleanup levels.

The Trust will also implement LUCs for areas that have low temperature thermal desorption ("LTTD") treated soil, in accordance with the Order, and as described in the Trust's LTTD Tracking and Management Plan (EKI, 2004a).

The Trust will also voluntarily implement ecological-based LUCs for areas that (a) do not meet the saltwater or freshwater protection criteria within the Saltwater or Freshwater Protection Zones, as identified in the Order (RWQCB, 2003), or (b) do not meet ecological special-status cleanup levels at sites regulated under the DTSC Consent Agreement. Non-compliance with cleanup levels at ecological special-status sites or the Saltwater or Freshwater Protection Zones are anticipated cases in which ecologically-based LUCs will be applicable at the Presidio.

LUNs will be recommended by the Trust as general notification devices at certain sites. LUNs do not restrict site uses, but provide notification to present or future users of the presence and locations of residual COCs, debris fill, abandoned utilities, or other environmental concerns that may remain in place at a site. LUNs are described in more detail in Section 3.3.8.

### **3. IMPLEMENTATION OF LAND USE CONTROLS**

LUCs will be implemented at the Presidio through a number of methods. LUCs may be implemented at remediation sites in conjunction with engineering controls (such as containment remedial actions) that are used to create a physical barrier between potentially exposed populations and impacted material above applicable residential (or ecological special-status or Saltwater or Freshwater Protection Zone) cleanup levels in soil. In addition, LUCs may be appropriate for remediation sites where remedial actions achieve the cleanup levels for the land use designation identified in the PTMP, but may not achieve the most stringent residential cleanup level.

This section discusses mechanisms for implementing the LUCs and then provides details about Presidio-wide and specific LUCs that may be used at the Presidio.

#### **3.1 Implementation Mechanisms**

There are three key tools for implementing the LUCs at the Presidio: this LUCMRR and included addenda, the Trust's Project Review/Permitting Program, and the Trust's GIS system. In addition, signage is an optional and supplementary mechanism that can be used to maintain a "community memory" that can help preserve LUCs that are implemented via the three key tools. These tools are discussed below.

##### **3.1.1 LUCMRR and Addenda**

This LUCMRR is the master reference for LUCs within Area B. This LUCMRR identifies Presidio-wide LUCs, such as restrictions on planting homegrown produce (Section 3.2), as well as general LUCs that could be used at sites requiring LUCs (Section 3.3). For each individual site identified as requiring a LUC, a site-specific addendum to the LUCMRR will be prepared. The Trust intends to add each site-specific addendum to the LUCMRR. As such, the LUCMRR will be a "living" document, supplemented with additional and more up-to-date information as it becomes known or as site conditions change.

Each site-specific LUCMRR addendum will include a figure depicting the site location and nearby area, and will summarize the site history, the specific COCs encountered at the site, the actions taken to remediate the site, the in-place management system (such as containment), the levels and general locations of COCs remaining at the site that required the implementation of the LUC, and site-specific restrictions for that LUC area. In addition, these site-specific addenda will discuss restricted or prohibited land uses at the

site and any special requirements (e.g., health and safety requirements) if the area is disturbed in the future. The site-specific LUCMRR addenda will be added to the Trust's GIS system that serves as an informational database for all remediation sites with LUCs in Area B of the Presidio. An outline for these LUCMRR addenda is provided in Section 4.

### 3.1.2 Project Review/Permitting Program

As a federal agency, the Trust is required under NEPA to consider the potential environmental impacts of any project, plan, program, or action at the earliest stage of planning and before implementation. The Trust carries out this obligation using a project review process that screens proposals for compliance with NEPA/NHPA ("N<sup>2</sup>"), and other such laws and regulations. The Trust's N<sup>2</sup> compliance process screens every proposed action in Area B at the Presidio (e.g., fence post installation, tree trimming, native plant restoration, building renovation, and building demolition). The N<sup>2</sup> compliance process (i.e., project review program) is a first step to insure that Trust staff is aware of known contamination and associated LUCs in the vicinity of project sites. This review process, by scrutinizing the attributes of the project site and the proposed action, can be used to alert Trust staff to known and remediated hazardous substance sites, as well as LUCs.

In addition, for any Area B project involving construction, excavation, or subsurface work, the Trust requires not only N<sup>2</sup> clearance but also a building/project permit. For any project, the permit process requires Preliminary Design, Preliminary Plan Review, Design Development, and Permit Plan Review and approval. Here too, at the earliest stage of project planning, the Trust project manager, tenant, or user is provided with an information checklist with key information about the project site, including any LUCs. The Trust will use its project permit process to notify and require adherence by project proponents to any LUC restrictions and requirements. Both the Trust's project review and project permitting programs will include a link (i.e., in both the standardized N<sup>2</sup> project screening form and the project permit checklist) to the Trust's GIS system containing complete LUC site information (Section 3.1.3).

### 3.1.3 Trust GIS System

The Trust currently uses its GIS system to identify buildings, utilities, and other physical features at the Presidio. The Trust is adding a LUC component to the GIS system. The LUC component of the GIS system will allow future project proponents, Trust project review program staff, and other users to evaluate if LUCs are present in a specific area of concern. For example, if the Real Estate Department is assessing leasing options for a

specific area, Real Estate Department staff representatives can go to the Trust GIS system through the on-line intranet and review that area for potential LUCs. The Real Estate Department can then make planning and leasing decisions that are suitable in relation to any COCs that may be present and the associated LUCs. In a similar fashion, the Trust utility maintenance crews can review an area containing a utility or other feature that requires repair to see if there is the potential for encountering known impacted soil prior to excavation and learn about the associated LUCs for the protection of human health and the environment.

The GIS system will be updated and maintained by the Remediation Department in coordination with the Trust Information Services Department, which will incorporate the site-specific LUCMRR addenda as they are prepared.

#### 3.1.4 Trust Signage

To supplement the implementation and enforcement of LUCs by other mechanisms, the Trust may implement interpretive signage or physical monuments that describe the site historic use and imply the reasons for the land use restrictions. For example, an interpretive sign may be placed on a former aircraft maintenance building, noting that the building is historic for its architecture and previous uses such as maintenance. This same notice would also imply to an environmental professional (though not explicitly stated on the sign) that historic chemical uses may have been associated with the building, and use restrictions, such as prohibiting groundwater as drinking water, may very likely be present at the site. In this way, the Trust would create a “community memory” of historical and environmental significance that would span generations and providing a supplemental method to help preserve the reasoning for LUCs (EPA, 2005). If such supplemental signs are deemed appropriate for a LUC site, the Trust Environmental Remediation Department will work with the Trust Public Affairs Office to develop appropriate signage.

### **3.2 Presidio-wide Land Use Control Implemented by the Trust**

The Trust and NPS manage plantings at the Presidio because of efforts to restore native plants and maintain historic plantings, as described in the VMP (NPS and Trust, 2001). The vegetation restriction also serves as a Presidio-wide LUC that eliminates produce being homegrown at the Presidio (outside a designated community garden), thus preventing completion of a potential exposure pathway to COCs. The in-ground planting of vegetation by residents and the tenants at the Presidio is prohibited through Trust lease agreements. As part of these agreements, the Trust has issued Presidio-specific potted

plant guidelines, which, among other things restrict containers, specific plants, pesticides and herbicides, and prohibit the discarding of soil or plant material anywhere at the Presidio.

### 3.3 Specific Land Use Controls Used by the Trust

This section identifies typical LUCs the Trust is likely to implement at various sites in Area B of the Presidio. The site-specific LUCMRR addenda will draw applicable LUCs from this list for implementation at an individual site.

#### 3.3.1 Sensitive Use Restriction

For sites where the representative concentrations<sup>3</sup> of COCs exceed Presidio-specific residential cleanup levels, the Trust will prohibit sensitive or residential land use. Such sensitive use restrictions include the prohibition of housing and other sensitive uses, such as schools, day care facilities, hospitals, playgrounds, or any other uses involving the regular and constant use by children, the infirm, or the elderly.

For sites with no indoor air quality concerns (i.e., no known VOCs present underneath buildings), regular and constant use is defined as one individual being present on the site outdoors more than the equivalent of 3 hours per day, 150 days per year. Hours indoors do not count toward the total hours defined under regular and constant use. As such, recreational and educational uses of the site in outdoor areas by children, the infirm, or the elderly, not exceeding the equivalent of 3 hours per day, 150 days per year per individual, will be allowable. Typical wording to describe the sensitive use restriction in a LUCMRR addendum for sites with no indoor air quality concerns is as follows: *“Sensitive uses, such as housing, schools, playgrounds, hospitals, and day care facilities, or any other uses involving the regular and constant use by children, the infirm, or the elderly in outdoor areas are prohibited.”* This text may be revised to describe and reference a figure to accurately identify the LUC area.

For sites with potential indoor air quality concerns (i.e., VOCs are known to be present underneath buildings), regular and constant use is also defined as one individual being present on the site outdoors more than the equivalent of 3 hours per day, 150 days per year. However, the number of hours a sensitive user is allowed inside a building with an

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<sup>3</sup> Representative concentrations will be determined in the corrective action plan (“CAP”), remedial action plan (“RAP”), completion report, or other such decision document based on properties such as the maximum concentration detected, the 95% upper confidence limit (“UCL”) of the mean concentration of the chemical, or other site-specific conditions, such as the location and depths of chemical concentrations above cleanup levels, and upgradient conditions.



indoor air quality concern would be addressed and restricted separately on a building by building basis. Any access restrictions to sensitive users would be predicated on the outcome of indoor air quality study(ies) conducted by the Trust or conducted under the oversight of the Trust. Typical wording to describe the sensitive use restriction in a LUCMRR addendum for sites with a known indoor air quality concerns is as follows: *“Sensitive uses, such as housing, schools, playgrounds, hospitals, and day care facilities, or any other uses involving the regular and constant use by children, the infirm, or the elderly within the building are prohibited.”* This text may be revised to describe and reference a figure to accurately identify the LUC area.

### 3.3.2 Groundwater Use Restriction

For sites where the representative concentrations of COCs in groundwater exceed drinking water standards, the Trust will prohibit the use of groundwater as a drinking water and in some cases, an irrigation source. The Trust owns and operates the water system serving the Presidio (both Areas A and B). The Presidio Water Treatment Plant, which draws surface water from Lobos Creek, supplies approximately 80-85% of the water used at the Presidio. The Trust purchases the remaining 15-20% from the San Francisco Public Utilities Commission. No groundwater wells are utilized to augment the drinking water source. Historically, the Army used some irrigation wells to water the golf course, but neither these wells nor other irrigation wells are currently in use. Typical wording to describe the groundwater use restriction in a LUCMRR addendum is as follows: *“The use of groundwater as a drinking water supply is prohibited” or “The use of groundwater as an irrigation source is allowed pursuant to Department of Health Services Title 22 Section 60304, or by site-specific evaluation.”* This text may be revised to describe and reference a figure to accurately identify the LUC area.

### 3.3.3 Health and Safety Requirements

For sites where a LUC is imposed due to concentrations of potential COCs at a site that could exceed hazardous waste concentrations or commercial/industrial cleanup levels, subsurface or soil disturbing activities shall be performed in accordance with a site-specific health and safety plan (“H&S Plan”) consistent with applicable health and safety standards, such as 29 CFR 1910.120. The workers in the LUC area shall follow the H&S Plan, must have the appropriate level of health and safety training, and must use the appropriate level of personal protective equipment, as determined in the relevant H&S Plan. Typical wording to describe the health and safety requirements in a LUCMRR

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If the 95% UCL is used, a program, such as ProUCL (U.S. EPA, 2004), should be used to calculate the 95% UCL based on the distribution and properties of the data set.

addendum is as follows: ***“Soil disturbance activities within the designated LUC Area must be performed according to a site-specific health and safety plan (“H&S Plan”) that is consistent with applicable health and safety standards, such as 29 CFR 1910.120. Workers in the designated LUC Area shall follow the H&S Plan, must have the appropriate level of health and safety training and must use the appropriate level of personal protective equipment, as specified in the relevant H&S Plan.”*** This text may be revised to describe and reference a figure to accurately identify the LUC area.

#### 3.3.4 Soil Management Requirements

All soil excavated from LUC areas will be managed and/or disposed in accordance with the applicable federal, state, and local laws and regulations governing excavation, handling, management, and disposal of the excavated material. Excavated soil that is planned to be returned to the excavation (e.g., excavation for installation of a utility in a trench) may be stockpiled adjacent to the trench, and if no visual or odorous contamination is observed, the soil may be returned to the trench from which it came without sampling, providing all other LUCs (such as covering, if required) are implemented. Any excess soil excavated from LUC areas that is considered for reuse elsewhere on the Presidio outside the original excavation shall be sampled and analyzed for a broad suite of chemicals, including all chemicals that have been identified as potential chemicals of concern at that site, before such soil may be reused at the Presidio. If the excavated soil will be disposed off-site, the soil will be characterized based on known chemical impacts and the disposal facility’s requirements before the material is appropriately disposed offsite. Soil can only be reused outside the original excavation or elsewhere at the Presidio if chemical concentrations in the excavated soil are less than the applicable cleanup levels for that particular receiving site and hazardous waste criteria (CCR, Title 22, Section 66261). Typical wording to describe the soil management requirements in a LUCMRR addendum is as follows: ***“Soil excavated from the LUC area may be returned to its original excavation provided no chemical impact is observed. Soil excavated from the LUC Area that will not return to the original excavation shall be sampled and analyzed for potential COCs [including metals and petroleum hydrocarbons] before such soil may be reused elsewhere at the Presidio. Soil that will be disposed offsite shall be characterized based on known chemical impacts and the disposal facility’s requirements. Soil can only be reused elsewhere on the Presidio outside the original excavation if chemical concentrations in the excavated soil are less than the applicable cleanup levels at the receiving site and hazardous waste criteria (CCR, Title 22, Section 66261).”*** This text may be revised to describe and reference a figure to accurately identify the LUC area, and site-specific COCs.

The Trust reserves the option to implement the soil management practices described in this Section by trenching to excavate soil for a utility within a LUC area, install a subsurface utility, and then backfill that utility trench with clean import fill to create a clean utility corridor. If the Trust chooses to create such a utility corridor, future excavation, maintenance and repair entirely within that defined utility corridor would not fall under the requirements of the LUCMRR or site-specific addenda, provided the work was carried out completely within the clean utility corridor. The clean utility corridor must be demarcated during backfilling with the clean import fill physically separated from existing site soils by a barrier or marker. For example, a layer of geotextile or filter fabric could be placed in the excavated utility corridor (bottom and both sides) prior to the installation of the utility and the subsequent placement of backfill. To facilitate future access to the corridor and locating the utility, the corridor may be a wider trench than may be normally required for the installed pipe size, and metallic tracer wires could be installed over the pipe as well as along the sides of the trench limits. If a clean corridor is installed, the specific area of the clean corridor, as well as the depth, should be noted in the utility installation record drawings and in the site-specific LUCMRR addendum.

Previously-identified chemically-impacted soil encountered during excavation or subsurface work shall be addressed in accordance with the Trust's Petroleum Contingency Plan, dated 16 August 2004 (EKI, 2004b). Typical wording to describe the chemically-impacted soil management requirements in a LUCMRR addendum is as follows: ***"If encountered, chemically-impacted soil discovered during excavation or subsurface work shall be addressed in accordance with the Trust's Petroleum Contingency Plan, dated 16 August 2004."***

LTDD-treated soil in the LUC area shall be managed in accordance with the requirements of RWQCB Order (RWQCB, 2003) and the Trust's LTDD Soil Management Plan, dated 1 November 2004 (EKI, 2004a). LTDD soil shall not be placed within 50 feet of any surface water body, chemical concentrations must comply with the RWQCB Order, and excavations filled with LTDD-treated soil shall have clean fill (no detectable fuel constituents) in the top 18 inches of the backfill. Typical wording to describe the LTDD soil management requirements in a LUCMRR addendum is as follows: ***"LTDD-treated soil in the LUC area shall be managed in accordance with the requirements of RWQCB Order No. R2-2003-0080 ("Order") and the Trust's LTDD Soil Management Plan, dated 1 November 2004. LTDD soil shall not be placed within 50 feet of any surface water body, chemical concentrations must comply with the Order, and excavations filled with LTDD soil shall have clean fill (no detectable fuel constituents) in the top 18 inches of the backfill."*** This text may be revised to describe and reference a figure to accurately identify the LUC area.

### 3.3.5 Ecological Use Restrictions

For sites located in the saltwater or freshwater ecological protection zones identified in the Order (RWQCB, 2003) or in areas designated as ecological special-status zones, ecological-based use restrictions may apply. In some cases, ecological-based LUNs could also apply; LUNs are discussed in Section 3.3.8.

Ecological-based LUCs will be applied where the COCs exceed Presidio-specific cleanup levels for the applicable ecological protection zone or special-status use area. For certain locations identified on a site-specific basis, the Trust may restrict the proposed ecological features (such as a marsh or freshwater zone or special-status use area) until remedial actions achieve required cleanup levels. This restriction could be a temporary measure and may be implemented in cases when the implementation of the ecological restoration activities within the ecological protection zone or special-status ecological use area are not funded or are uncertain. This restriction could also be a permanent measure and may be implemented in cases when the anticipated land use changes and the area no longer supports sensitive ecological uses. Note that this restriction does not apply to areas classified as buffer zone ecological or non-ecological that do not meet the most stringent ecological cleanup levels for the Presidio. Typical wording to describe the ecological use restrictions in a LUCMRR addendum is as follows: ***“The use of the LUC area within the [freshwater/saltwater/ecological special-status] ecological protection zone as a [freshwater/saltwater/ecological special-status] ecological habitat restoration area is prohibited until remedial actions meet the applicable cleanup levels as required by the RWQCB Order No. R2-2003-0080 and the Cleanup Level Document.”*** This text may be revised to describe and reference a figure to accurately identify the LUC area, refer to the applicable ecological protection zone, and identify the chemicals present above cleanup levels.

### 3.3.6 Surface Cover Requirements and Restrictions

For sites where the representative concentrations of COCs in soil exceed the applicable Presidio-specific cleanup levels and the site is covered by buildings, paved areas, or an engineered cover, and the direct contact pathway is not complete, the designated LUC area must remain covered with either buildings, pavement, or other barrier in landscaped areas. Within landscaped areas, the barrier could be 2 feet of clean soil; an engineered barrier such as a membrane, geogrid, or coated wire mesh covered with 6 inches of topsoil; or other site-specific protective system that achieves the objective of limiting direct contact with the COCs. As discussed above in Section 3.3.4, landscaped areas with LTDD-treated soil require a minimum of 18 inches of clean soil cover. The LUC requires

cover maintenance for the entire LUC zone unless, for a specific area, confirmation soil sampling shows that the representative concentrations of COCs do not exceed the applicable cleanup levels. Confirmation soil sampling requirements (analytes and frequency) shall be designated in an individual LUCMRR addendum. For engineered covers that have been implemented as part of a remedy, the cover will be monitored in accordance with a site-specific cover monitoring plan. For covers that have been included for redundant protection, but are not specifically part of the remedy for a site, typical wording to describe the surface cover restrictions in a LUCMRR addendum is as follows: ***“The LUC area must remain covered with buildings, pavement, or another barrier in landscaped areas that have not been previously remediated. The cover must be maintained for the entire LUC area unless, for a specific area, soil sampling shows that the representative concentrations of COCs do not exceed residential cleanup levels.”*** This text may be revised to describe and reference a figure to accurately identify the LUC area and describe site-specific confirmation sampling requirements.

#### 3.3.7 Public Access Restrictions

For some sites, public access may be restricted. For example, if steep terrain, sensitive natural resources (such as wetlands), or special conditions or hazards (such as vials of unknown chemicals) could potentially be present in the LUC area, access to the area by the general public may be restricted or prohibited. The Trust may also limit on-site workers to those designated authorized natural resources restoration workers or others who have the appropriate health and safety training required by the specific LUCMRR addendum. Typical wording to describe the public access restrictions in a LUCMRR addendum is as follows: ***“No general public access allowed” or “Presidio Park employees, including authorized natural resources workers and volunteers, may be allowed in this area only after such personnel have been trained in the health and safety requirements applicable to this Site.”*** This text may be amended by additional text or a footnote to explain public access restriction or worker training requirements.

#### 3.3.8 Land Use Notifications

The LUN is designed to notify present or future owners, tenants, maintenance workers, landscaping/planting crews, or other entities of the presence and locations of residual COCs, debris fill, abandoned utilities, building foundations, or other such items left in place at a site. The LUN involves no restriction of land use, and only serves to notify about the existing site conditions. Examples of cases where a LUN may be warranted include representative concentrations of residual chemicals above site-specific remedial goals are located in the deeper subsurface and are considered a low threat to ecological receptors and/or the representative concentrations are only marginally above ecological

saltwater, freshwater, or special-status protection zone cleanup levels. The site-specific LUN will not restrict human or ecological land use in the area, but the site data will be made available to the appropriate Trust staff (i.e., natural resources program staff) so that an informed decision regarding future use of the site can be made (in the case of this example, the ecological uses will be reviewed).

Because the wording used in LUNs is anticipated to be site-specific in nature, preparing typical wording to describe the LUN in a LUCMRR addendum is not appropriate. However, in the same fashion as LUCs, LUNs will be described in site-specific addenda (Section 3.1.1), identified in project review/permitting (Section 3.1.2), tracked with the Trust's GIS system (Section 3.1.3), monitored (Section 3.4), terminated when appropriate (Section 3.5), and reported in the annual report to agencies (Section 3.8).

### **3.4 Monitoring Land Use Controls**

The Trust will maintain this LUCMRR as a "living" document, and it will be maintained as the up-to-date record of LUCs throughout Area B of the Presidio (see Section 1.4). The Trust's project review process and GIS system will also be utilized to assist in the communication and enforcement of the LUCs. The Trust will prepare an annual report documenting Presidio sites that have LUCs (see Section 3.8). This LUC annual report will be separate from any annual monitoring report that is required to monitor an engineered remedy at a site; however, the LUC annual report may reference other reports that document monitoring of engineered remedies at sites. The Trust will notify DTSC and RWQCB of any proposed termination of LUCs, as described in Section 3.5.<sup>4</sup> No LUC sites will be terminated without the approval of the DTSC at CERCLA hazardous substances sites or the RWQCB at petroleum sites.

LUCs are intended to maintain protection of human health and the environment over time. While operations and maintenance ("O&M") and monitoring issues are not technically LUCs, some of the engineering measures within a remedy will also be identified in the site-specific LUC addendum, but be distinguished from the LUCs, to allow the convenient tracking of all long-term site activities and restrictions regarding remaining environmental contamination. Examples of these O&M and monitoring issues, which are distinct from LUCs, but likely to be noted in the addendum for certain sites, include groundwater monitoring; cap inspections, maintenance, and repair (for landfills or sites that are covered with an engineered cap or buildings); implementation of restrictions on soil reuse and required clean soil cover (such as for LTDD soil); CERCLA Five-Year Reviews; and fencing or other site access restriction mechanisms. Another

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<sup>4</sup> The Trust reserves the right to add LUC sites to the LUCMRR by addenda and copy to the DTSC and RWQCB.

benefit of this approach is that while the engineering measures are being monitored, the applicable LUCs can also be reviewed to ensure the LUCs are being properly implemented or remain necessary.

### **3.5 Terminating Land Use Controls**

Once a LUC is identified at a site and an addendum to the LUCMRR finalized, the LUC will apply until the DTSC (for CERLCA sites) or the RWQCB (for petroleum sites) approves removal of the LUC by the Trust. Termination and removal of a LUC at a site could occur under a variety of circumstances (DTSC, 2000), possibly including:

- Additional remedial actions may be conducted at the site and no COCs are detected in confirmation soil samples above applicable cleanup levels. This could occur, for instance, if the Trust conducts additional remedial action on previously inaccessible contaminated soil that becomes accessible (e.g., a building has been demolished), or subsurface utility work removes a significant percentage of the COCs and it becomes reasonable for the Trust to clean-close the site by completely removing the COCs to an unrestricted cleanup level rather than retain the LUC.
- New site characterization data are collected that indicate COCs are not present above applicable cleanup levels. For example, if Trust resampling is unable to reproduce previous Army or Trust sampling results from the same locations that identified COCs above applicable cleanup levels, the LUC may be removed for a portion or all of the site, as appropriate.
- Cleanup levels could be revised. If new information is published that results in modifications to the Cleanup Level Document, and the revised cleanup levels are higher than the maximum residual concentrations at a given LUC site such that a LUC is no longer required, the Trust may initiate termination of the LUC.
- Changes in the regulatory requirements. If regulatory agencies make modifications to the Order or Consent Agreement that affect sites with LUCs, the Trust may request termination of the LUC if such changes would no longer require the LUC. Such cases could include revisions to the area and extent of the freshwater or saltwater protection zones, revisions of regulatory limits listed in the documents, or other such modifications.

In order to terminate a site LUC, the Trust will request termination in a LUC Termination Letter. This letter will be similar to the LUCMRR addendum prepared for a site, and will describe the reason why the LUC is no longer required. The LUC Termination Letter will be transmitted to DTSC and RWQCB for review and approval for CERCLA sites and petroleum sites, respectively. The LUC Termination Letter and any written approval, if issued, will become part of the LUCMRR addendum for that site in the Trust's master copies of the LUCMRR, and the LUCMRR addendum will be prominently marked "Terminated." The Trust GIS system will also be updated to remove the LUC from the site.

### **3.6 Enforcing Land Use Controls**

LUCs are instituted in order to be protective of human health and the environment and must therefore be enforced. The Trust will enforce the LUC primarily through the mechanisms discussed above. Specifically, the implementation of this LUCMRR and addition of needed site-specific addenda (Section 3.1.1) provide a standardized procedure for preparing, recording, maintaining, reporting, and updating Presidio-wide LUCs. The Trust's project review program (Section 3.1.2) together with its permitting program requirements for any project involving excavation or construction will serve to notify project managers and proponents of any LUCs at the earliest stages of project planning and well before implementation. Finally, the Trust's GIS system (Section 3.1.3) will support and enhance the ease of LUCs notification and enforcement and complete information retrieval. These three components are the backbone of LUCs implementation and enforcement for Area B of the Presidio.

### **3.7 Transfer of Ownership or Control**

Under the Presidio Trust Act, the Trust must preserve and enhance the Presidio and also become financially self-sufficient by the year 2013. In the unlikely event that the Trust is unable to meet this financial objective, all property under the administrative jurisdiction of the Trust will be transferred to the General Services Administration ("GSA"). The Trust will provide adequate notice to DTSC and RWQCB in advance of any such transfer. The Trust will provide information to the GSA in the transfer documents on LUCs and applicable resource use restrictions including a complete copy of the LUCMRR and current addenda.



### **3.8 Annual Report to Regulatory Agencies**

The Trust will prepare an annual Presidio Area B LUCs Report documenting Presidio Area B sites that have LUCs and implementation of the LUCs (e.g., human and ecological land uses within Presidio LUCs areas are consistent with the restrictions and requirements of the site-specific LUCMRR addenda). The report will also identify any sites where the LUCs have been terminated during the preceding year. While the Trust is preparing the annual report, the Trust could potentially encounter a site that is inconsistent with this LUCMRR or site-specific addenda or the LUCs are not fully functional. If such an inconsistency is identified, the Trust will describe how the inconsistency has been or is planned to be remedied in the annual report.

The Trust will provide the annual report to the DTSC and RWQCB by 31 March for the prior calendar year. This timing was established so the LUC annual report could include relevant information from the most recent quarterly or annual O&M or monitoring report for sites with an annual monitoring requirement (e.g., a cover monitoring requirement). The annual report will be a table that includes the following headings:

- Site Name,
- LUCs Present at the Site,
- Deviations from the LUCs,
- Corrective Actions to Address Deviations; and
- Date of Last Site Visit.

Additional text describing site history, events, or status will not be included in the annual report, except to address an encountered inconsistency with the LUCMRR or site-specific addenda for that calendar year and how the inconsistency is resolved.

#### 4. LAND USE CONTROL ADDENDA OUTLINE

For an individual site subject to a LUC, a site-specific LUCMRR Addendum will be prepared to identify the specific location or “address” of the LUC. The following is an outline of the topics and information that will be included in the individual LUCMRR addendum:

- Introduction and Objective(s) of LUC
- Buildings/areas/sites included in LUC
- Remediation summary and COCs
  - Site history and description of remedial actions implemented
  - Chemicals of concern necessitating LUC. Identify maximum COC concentrations, if appropriate.
- Site-specific LUC restrictions to be implemented, including specific descriptions of the LUCs as described in the LUCMRR or as modified to meet site-specific needs.
- List of References that includes all relevant reports for the site
- Figure/Site Map delineating the LUC area
- Database table with information needed in the GIS database (including survey coordinates)

Included with the site-specific LUCMRR Addendum, the Trust or its consultant will compile the following electronic information for incorporation into the Trust’s GIS database:

1. An electronic copy of the LUCMRR Addendum in Adobe® Acrobat® \*.pdf format,
2. Table 1 (in Excel or Access format) with valid values for the site-specific LUCs, survey coordinates in Northing Easting UTM Meter Zone 10 North coordinates, and notation of whether the LUC is a regulatory requirement. The LUCMRR Addendum name and date are also required.
3. Shape file with an outline of LUC area(s) that can be imported into the Trust GIS system.

The Trust plans to survey key points of the LUC area(s) with its global positioning system, rather than with an external licensed surveyor. This will facilitate the implementation of the LUCMRR Addendum and the timely importation of the data into the Trust’s GIS system.

## 5. REFERENCES

Department of the Army, Presidio Trust, and National Park Service. 24 May 1999. *Memorandum of Agreement Regarding Environmental Remediation at the Presidio of San Francisco*.

Department of the Interior, National Park Service and Presidio Trust. 24 May 1999. *Memorandum of Agreement for Environmental Remediation of Presidio of San Francisco "Area A" Property*.

Department of the Interior, National Park Service and Presidio Trust. May 2001. *Vegetation Management Plan and Environmental Assessment for the Presidio of San Francisco*.

Department of the Interior, National Park Service, 1994. *Creating a Park for the 21st Century, from Military Post to National Park - Final General Management Plan Amendment, Presidio of San Francisco, Golden Gate National Park Recreation Area, California*. July 1994.

Department of Toxic Substances Control ("DTSC"). October 2000. *Fact Sheet: Land Use Covenant Agreements, LUC Agreements in California*.

DTSC. 30 August 1999. *Consent Agreement Between the California Department of Toxic Substances Control, the Presidio Trust, and the US Department of the Interior, National Park Service for the Remediation of Hazardous Substances at the Presidio of San Francisco*.

Erler & Kalinowski, Inc. ("EKI"), 2004a. *Low Temperature Thermal Desorption-Treated Soil Tracking and Management Plan, Presidio of San Francisco, California*. 1 November 2004.

EKI, 2004b. *Petroleum Contingency Plan, Presidio of San Francisco, California*. 16 August 2004.

EKI, 2002. *Development of Presidio-wide Cleanup Levels for Soil, Sediment, Groundwater, and Surface Water, Presidio of San Francisco, California*. October 2002.

GSA, 1998. Memorandum from John Q. Martin, Director of the Redeployment Services Division, U.S. General Services Administration, *Restrictive Covenants on Non-Excess Property* (October 16, 1998).

Presidio Trust, 2002. *Presidio Trust Management Plan, Land Use Policies for Area B of the Presidio of San Francisco*. May 2002.

Regional Water Quality Control Board (“RWQCB”), 2003. *Order No. R2-2003-0080, Revised Site Cleanup Requirements and Rescission of Order No. 91-082 and Order No. 96-070, for the Property Located at the Presidio of San Francisco, City and County of San Francisco, California*. San Francisco Bay Region. Appendix B includes Correspondence RWQCB received during comment period, and Appendix C includes RWQCB Staff’s Response to Comments. 20 August 2003.

Treadwell & Rollo, 2004. *Draft Presidio-Wide Lead-Based Paint in Soil Plan*, Presidio of San Francisco, California. May 2004.

U.S. EPA. September 2005. *Long-Term Stewardship: Ensuring Environmental Site Cleanups Remain Protective Over Time*. Office of Solid Waste and Emergency Response. EPA 500-R-05-001.

U.S. EPA. April 2004. *ProUCL Version 3.0 Users Guide*, U.S. EPA, Las Vegas, Nevada.

U.S. EPA. September 2000. *Institutional Controls: A Site Manager’s Guide to Identifying, Evaluating, and Selecting Institutional Controls at Superfund and RCRA Corrective Action Cleanups*. Office of Solid Waste and Emergency Response. EPA 540-F-00-005.

U.S. EPA. July 1999. *A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents*. Office of Solid Waste and Emergency Response. EPA 540-R-98-031.

Presidio Trust, 2002. *Presidio Trust Management Plan, Land Use Policies for Area B of the Presidio of San Francisco*. May 2002.

Regional Water Quality Control Board ("RWQCB"), 2003. *Order No. R2-2003-0080, Revised Site Cleanup Requirements and Rescission of Order No. 91-082 and Order No. 96-070, for the Property Located at the Presidio of San Francisco, City and County of San Francisco, California*. San Francisco Bay Region. Appendix B includes Correspondence RWQCB received during comment period, and Appendix C includes RWQCB Staff's Response to Comments. 20 August 2003.

Treadwell & Rollo, 2004. *Draft Presidio-Wide Lead-Based Paint in Soil Plan, Presidio of San Francisco, California*. May 2004.

U.S. EPA. September 2005. *Long-Term Stewardship: Ensuring Environmental Site Cleanups Remain Protective Over Time*. Office of Solid Waste and Emergency Response. EPA 500-R-05-001.

U.S. EPA. April 2004. *ProUCL Version 3.0 Users Guide*, U.S. EPA, Las Vegas, Nevada.

U.S. EPA. September 2000. *Institutional Controls: A Site Manager's Guide to Identifying, Evaluating, and Selecting Institutional Controls at Superfund and RCRA Corrective Action Cleanups*. Office of Solid Waste and Emergency Response. EPA 540-F-00-005.

U.S. EPA. July 1999. *A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents*. Office of Solid Waste and Emergency Response. EPA 540-R-98-031.

**TABLE 1**  
**LAND USE CONTROLS TEMPLATE**

Presidio of San Francisco, California

Site Name	Land Use Controls	Regulatory Requirement for LUC?			LUCMRR Addendum Information		
			Coordinates of 4 Points (a)		Name	Date	File Name
Name	(Valid Values)		A				
	● Sensitive Use Restrictions	Yes/No	Northing				
	● Groundwater Use Restrictions	Yes/No	Easting				
	● Health and Safety Requirements	Yes/No	B				
	● Soil Management Requirements	Yes/No	Northing				
	● Ecological Use Restriction	Yes/No	Easting				
	● Surface Cover Requirements/Restrictions	Yes/No	C				
	● Public Access Restrictions	Yes/No	Northing				
	● Land Use Notifications	Yes/No	Easting				
			D				
			Northing				
			Easting				

Notes:

(a) Provide field surveyed coordinates in Northing East UTM Meter Zone 10 North coordinates.





## LEGEND

— Presidio Planning District Boundary

### Designation of Areas A and B

- - - Area A/B Boundary

Area A — Stewardship by the National Park Service

Area B — Stewardship by the Presidio Trust

### Notes:

1. All locations are approximate.
2. Basemap developed from site plan provided by the Presidio Trust.
3. PHS is the Public Health Service Hospital.

**Erler & Kalinowski, Inc.**

Areas A and B  
of the Presidio



Presidio Trust  
San Francisco, CA  
August 2006  
EKI A000003.14  
Figure 1



